

## **PART 500—ORGANIZATION AND CHANNELLING OF FUNCTIONS**

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AUTHORITY: 12 U.S.C. 1462a, 1463, 1464.

SOURCE: 54 FR 49440, Nov. 30, 1989, unless otherwise noted.

### **Subpart A—Functions and Responsibilities of the Director of the Office of Thrift Supervision**

#### **§ 500.1 General statement and statutory authority.**

(a) The Director of the Office of Thrift Supervision (referred to in this chapter as “Director” or “Office”) is responsible for the administration and enforcement of the Home Owners’ Loan Act of 1933, (“HOLA”), and applicable portions of the Federal Deposit Insurance Act and with respect to savings associations subject to provisions of the foregoing acts and title, the Bank Protection Act of 1968, the Truth in Lending Act, and the Fair Credit Reporting Act.

(b) The Office is authorized under such rules and regulations as it may prescribe to provide for the organization, incorporation, examination, operation, and regulation of Federal savings associations. Under this authority, the Office’s functions include, but are not limited to, regulation of the corporate structure of such associations, regulation of the distribution of their earnings, regulation of their lending and other investment powers, acting upon their applications for facility offices (including branch offices, limited facilities, mobile facilities and satellite offices), the regulation of merg-

ers, conversions, and dissolutions involving such associations, the appointment of conservators and receivers for such associations, and the enforcement of laws, regulations, or conditions against such associations or the officers or directors thereof by proceedings under section 5 of the Home Owners’ Loan Act of 1933, as amended.

(c) The Office regulates and examines savings associations within the authority conferred by the HOLA and the FDIA and is authorized to enforce applicable laws, regulations, or conditions against savings associations or the officers or directors thereof by proceedings under section 5 of the HOLA and section 8 of the FDIA as amended. The Office also regulates and supervises savings and loan holding companies pursuant to the provisions of section 10 of the HOLA, as amended, and section 8 of the FDIA.

(d) The Office exercises supervisory and regulatory authority over all building and loan or savings and loan associations and similar institutions of or doing business in or maintaining offices in the District of Columbia.

[54 FR 49440, Nov. 30, 1989, as amended at 60 FR 66868, Dec. 27, 1995]

#### **§ 500.2–500.5 [Reserved]**

#### **§ 500.6 General statement concerning gender-related terminology.**

The statutes administered by the Office and the rules, regulations, policies, practices, publications, directives, and guidelines promulgated pursuant to such statutes that prescribe the course and methods to be followed by the Office that inadvertently use or contain gender-related terminology are to be interpreted as equally applicable to either sex.

### **Subpart B—General Organization**

#### **§ 500.10 The OTS or The Office.**

The Office of Thrift Supervision (referred to as “OTS” or “Office”) is an office of the Department of the Treasury. Its functions are to charter, supervise, regulate and examine Federal savings associations and to supervise, regulate and examine all savings associations. It is directed by a Director, who

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is appointed by the President and confirmed by the Senate to a five-year term. The Director directs and carries out the mission of the OTS with the assistance of offices reporting directly to him. One of these offices oversees the direct examination and supervision of savings associations by regulatory staff to ensure the safety and soundness of the industry.

[57 FR 14335, Apr. 20, 1992, as amended at 60 FR 66869, Dec. 27, 1995]

### Subpart C—Procedures

#### § 500.30 General statement concerning procedures and forms.

(a) Rules and procedures of the Office are published in chapter V of title 12 of the Code of Federal Regulations and in supplementary material published in the FEDERAL REGISTER. The statutes administered by the Office and the rules and regulations promulgated pursuant to such statutes prescribe the course and method of the formal procedures to be followed in proceedings of the Office. These are supplemented where practicable by informal procedures designed to aid the public and facilitate the execution of the Office's functions. The informal procedures of the Office consist principally in the rendering of advice and assistance to members of the public dealing with the Office. Opinions expressed by members of the staff do not constitute an official expression of the views of the Office, but do represent views of persons working with the provisions of the statute or regulation involved. The Director may, for good cause and to the extent permitted by statute, waive the applicability of any provision of this chapter.

(b) Information with respect to procedures, forms, and instructions of the Office is available to the public at the headquarters of the Office. Forms of concern to the public consist principally of periodic financial reports and of applications to the Office. The Office may from time to time require the completion by individuals or savings associations of miscellaneous forms, questionnaires, reports, or other papers. In each instance, the individual or savings association is given actual

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and timely notice of the scope and contents of the papers in question.

[54 FR 49440, Nov. 30, 1989, as amended at 59 FR 53570, Oct. 25, 1994]

### PART 502—ASSESSMENTS

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- 502.1 Asset-based assessments.
- 502.2 Examination fees for affiliates.
- 502.3 Applications processing fees.
- 502.4 Collection of fees and assessments.
- 502.5 Interest.
- 502.6 Notice of fees.
- 502.7 Other charges.

AUTHORITY: Secs. 3, 4, 9, 10 as added by sec. 301, 103 Stat. 278, 280, 316, 318 (12 U.S.C. 1462a, 1463, 1467, 1467a).

SOURCE: 55 FR 34529, Aug. 23, 1990, unless otherwise noted.

#### § 502.1 Asset-based assessments.

(a) *Assessment overview.* Each savings association shall pay to the Director of the Office of Thrift Supervision an asset-based assessment on all of its assets as reported on its most recent consolidated Thrift Financial Report available at the time of the billing notice sent in accordance with § 502.6(a) of this part, except as provided in paragraph (h) of this section. A troubled savings association as defined in paragraph (f) of this section shall pay a premium assessment at a rate no higher than that specified in paragraph (d) of this section; all other institutions shall pay a general assessment at a rate no higher than that specified in paragraph (c) of this section.

(b) *Computation of assessment.* Assessments due pursuant to this section shall be computed in the following manner: Each savings association falls into one of the seven asset-size brackets denoted by columns A and B. A savings association's assessment is composed of two parts. The first portion is an assessment on assets up to the lower endpoint (column A) of the bracket in which it falls; this portion of the assessment is shown in column C. The second portion is an assessment on the remaining assets, which are assessed at the rate shown in column D. This rate is applied only to the amount in excess of the lower endpoint of the bracket. The total assessment is the sum of the assets in column C plus the product of